

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

JIMI JAMES HAMILTON,	)	
	)	
Plaintiff,	)	NO. CV-05-5007-MWL
	)	
v.	)	ORDER GRANTING PLAINTIFF'S
	)	MOTION TO DISMISS
JOSEPH LEHMAN, et al.,	)	
	)	
Defendants.	)	
_____	)	

BEFORE THE COURT is Plaintiff Jimi James Hamilton's October 31, 2005, motion to voluntarily dismiss the complaint with prejudice. (Ct. Rec. 42). On August 30, 2005, the parties consented to proceed before a magistrate judge. (Ct. Rec. 24). On November 1, 2005, Defendants filed a response indicating that they had no objection to Plaintiff's request to dismiss his complaint with prejudice. (Ct. Rec. 43)

Although the parties did not file a stipulation of dismissal pursuant to Fed. R. Civ. P. 41(a)(1), Plaintiff's motion to dismiss (Ct. Rec. 42) is unopposed by Defendants (Ct. Rec. 43). Therefore, pursuant to Fed. R. Civ. P. 41(a)(2), the undersigned grants Plaintiff's motion to voluntarily dismiss this action.

Accordingly, **IT IS ORDERED** that Plaintiff's Motion to Dismiss (Ct. Rec. 42) is **GRANTED** and the Complaint is **DISMISSED WITH PREJUDICE**.

**IT IS SO ORDERED.** The District Court Executive is directed to enter this Order, forward a copy to Plaintiff and close the file.

DATED this 2<sup>nd</sup> day of November 2005.

S/ Michael W. Leavitt  
MICHAEL W. LEAVITT  
UNITED STATE MAGISTRATE JUDGE

<sup>1</sup>Currently pending is Defendants' October 20, 2005, Motion to Quash a deposition (Ct. Rec. 20).